S.B. CRIMINAL MISC. BAIL APPLICATION NO. 2682/2007
(Laxman Vs. State of Raj.)

DATE OF ORDER : 5.7.2007

HON'BLE MR. JUSTICE BHANWAROO KHAN

Mr. Rakesh Matoria, for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor.

Heard learned counsel for the applicant and learned Public Prosecutor for the State.

The accused is facing charge under Section 8/18 NDPS Act, from whom 2½ Kg. opium has been recovered. Learned counsel prays that it is below commercial quantity. Since schedule prescribed the commercial quantity above 2½ Kg., the recovery is of 2½ Kg. opium.

At this juncture, looking to the facts and circumstances of the case, it is not a fit case to enlarge the accused-petitioner on bail under Section 439 Cr.P.C.

Accordingly, the bail application under Section 439 Cr.P.C. is rejected.

(BHANWAROO KHAN),J.

RM/-